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Attorneys for Defendant SYMANTEC CORP.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JAMES GROSS, individually and on behalf of
all others similarly situated,

Plaintiff,

v.

SYMANTEC CORPORATION, a Delaware
corporation, and PC TOOLS, LTD., an Irish
limited company,

Defendants.

Case No. 3:12-cv-00154-CRB

**STIPULATION AND [REDACTED] ORDER
TO CONTINUE CASE MANAGEMENT
CONFERENCE AND HEARING ON
MOTION TO DISMISS**

Date: November 9, 2012
Time: 10:00 a.m.
Judge: Hon. Charles R. Breyer

1 Plaintiff James Gross and Defendant Symantec Corporation (collectively, the “Parties”), by
2 and through their undersigned counsel, hereby stipulate and agree, subject to Court approval, to
3 continue the case management conference in this matter and the hearing on Symantec’s pending
4 motion to dismiss from November 9, 2012 at 10:00 a.m. to December 14, 2012 at 10:00 a.m. (or
5 such other date and time as the Court may set), so that they may focus their time and other
6 resources on proceeding with a mediation currently scheduled for November 12, 2012. In support
7 of the instant stipulation, the Parties state as follows:

8 **WHEREAS**, on August 14, 2012, Plaintiff filed a second amended class action complaint,
9 (Dkt. No. 50);

10 **WHEREAS**, on August 31, 2012, Symantec moved to dismiss Plaintiff’s amended
11 complaint, (Dkt. No. 51);

12 **WHEREAS**, the Court has set the hearing on Symantec’s motion and an initial case
13 management conference in this matter for November 9, 2012 at 10:00 a.m.;

14 **WHEREAS**, the Parties have also agreed and are scheduled to convene a mediation
15 session before John B. Bates, Jr. of JAMS in San Francisco, California on November 12, 2012, in
16 hopes of resolving this matter;

17 **WHEREAS**, to focus their time and other resources on the mediation and potential
18 resolution of this matter, the Parties have conferred and agreed, subject to Court approval, that the
19 hearing on Symantec’s motion and the case management conference should be continued from
20 November 9, 2012 at 10:00 a.m. to December 14, 2012 at 10:00 a.m., at which point the Parties
21 will inform the Court of the status of their efforts toward settlement;

22 **WHEREAS**, good cause exists to continue the hearing on Symantec’s motion and the case
23 management conference, and the Parties do not seek the relief contemplated herein for any
24 improper purpose.

1 **NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED** as follows:

2 1. The hearing on Symantec's motion to dismiss and the case management conference
3 currently set for November 9, 2012 at 10:00 a.m. shall be continued to December 14, 2012 at 10:00
4 a.m., or to such other date and time as the Court may set.

5 **IT IS SO STIPULATED.**

6 **JAMES GROSS**, individually and on behalf of all
7 others similarly situated,

8 Dated: October 18, 2012

By: /s/ Benjamin H. Richman
One of Plaintiff's Attorneys

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19 **SYMANTEC CORPORATION,**

20 Dated: October 18, 2012

By: /s/ Anthony J. Weibell
One of Defendant's Attorneys

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ORDER

Pursuant to stipulation and for good cause shown, **IT IS SO ORDERED.**

1. The hearing on Symantec's motion to dismiss and the case management conference currently set for November 9, 2012 at 10:00 a.m. shall be continued to December 14, 2012 at 10:00 a.m.

DATED: _____ October 25, 2012

HONORABLE CHARLES R. BREYER
UNITED STATES DISTRICT COURT

